

**United States District Court, District of Montana,
Butte Montana**

C. Gregg Thomas

Plaintiffs,

v.

**Gay Ann Masolo; Charles Masolo; United States of
America, Department of the Interior, c/o Bureau of Land
Management,
Defendants.**

Gregg Thomas
PO Box 11718
Bozeman, MT 59719
303.503.8362
gthomasblr@gmail.com

▲ COURT USE ONLY ▲

Case No.

CV22-55-BUBMM-JTJ

AFFIDAVIT OF GREGG THOMAS

COMES NOW, Gregg Thomas, filing his First Affidavit in the above named case, and under penalty of perjury, states as follows:

1. Masolos have admitted to me, or my attorneys, they have never disputed the easement I have across their land until 2005-when they admittedly (fraudulently) took advantage of a deceased person's offspring to try and usurp his predecessor's easement across their land for their benefit. This is a fraud that can be rectified by this Court.

2. I am resident of the state of Montana, Gallatin County, 9 Sunnyside Trail, Bozeman, for approximately the last 8 years and having moved to 702 Yellowstone Ave, Belgrade Montana on June 29th, 2022.
3. I work in the insurance, real estate, and equipment rental businesses; most recently adding surface mining of the tailings (boulders) at the subject property to my business.
4. I own multiple properties in Broadwater County.
5. I entered a contract to buy, and take possession of the Iron King Mine property prior to closing in early June, 2022.
6. I immediately possessed the property, moving two RV's to reside in while rebuilding the existing cabin and improving the appurtenances on the property.
7. The reason I have two RV's is my 4th child, Silas, has spina bifia and needs the ramp in the second RV to have access to the residence. They are well maintained, fifth wheel RV's. A 2017 Jayco Pinnacle with approximately \$95,000 and a 2019 Keystone Fusion worth about the same.
8. I recently added 2 solar panels to charge the RVs' batteries. I've also added low voltage automatic generator starters as a backup to the solar. This work was performed at Big Sky RV in Bozeman, MT.

9. Because there was evidence people were trespassing upon the property, I added 4 trail cams on various trees throughout my parcel.
10. The Trail cams revealed the Masolos and wo we assume to be their guests and employees frequented my property often, despite telling me they rarely go to the property.
11. The Masolos are filmed using the subject access road to enter upon my parcel.
12. I heard about the easement dispute from the Realtor, who also relayed that the previous owners' easement had never been disputed until she (the realtor) listed the property on the multiple listing service and began trying to sell the property for my predecessor. In other words, the previous owner was not aware of an easement dispute, ever and had enjoyed uninterrupted access to their property.
13. I was told by the Realtor the original owner (excepting the federal government) lived in the cabin on the property and that cabin was depicted on the segregation survey by the federal surveyor in 1923, which my research confirmed and that the structure existed the day of the survey in 1923, therefore its construction predated the survey and its materials were likely brought up on the same road that still exists today.

14. I have researched the subject access road on google maps pro, onX hunt, Apple maps, and TomTom maps and have found that the subject road exists currently as it has on USGS historical topographical maps, Broadwater county Road maps (1966), Forest service maps (possibly connecting to

Forest road 4033
Submitted the 2nd Day of August 2022
Gregg Thomas

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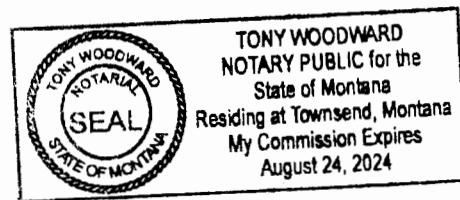
Certificate of Service

Under penalty of Perjury, the undersigned hereby states he filed a copy of this attached notice of removal on the date stated above with the Clerk of District Court of the United States, District of Montana, Butte, MT. The undersigned then mailed a accurate copy thereof to Defendants at the addresses below.

C. Gregg Thomas

Charles and Gayann Masolo
20 Buck Lane
Townsend, Montana 59644

USA, Department of the interior
c/o BLM, Butte Office
106 North Parkmont
Butte, MT 59701



8/1/2022 personally appeared before
me Gregg Thomas.